

HOUSE COMMITTEE ON JUDICIARY

A g e n d a

Meeting No. 9

DATE:	Wednesday, February 8, 2006
TIME:	12:00 PM
PLACE:	Room 129 Annex

1. Call to order and roll call.
2. **HB 44, AN ACT relating to the investigation of traffic accidents. A. Arnold, J. Crenshaw, R. Crimm, C. Embry Jr**

Amend KRS 189A.103, relating to consent to tests for alcohol or substances in the blood, to require that law enforcement officers request to perform blood and urine tests on all drivers involved in any accident that involves a school bus or involves a fatality; treat refusal to submit to test in this circumstance as refusal to comply with the chapter; amend KRS 189.580, 189.635, and 281A.220 to conform.

3. **HB 115, AN ACT relating to crimes and punishments. S. Lee**

Create a new section of KRS Chapter 431 to authorize certified peace officers to enforce U. S. immigration laws and prohibit police agencies from prohibiting their officers from doing so.

4. **HB 176, AN ACT relating to anhydrous ammonia. Rep. G. Lindsay**

Create a new section of KRS 250.482 to 250.488 to require distributors of anhydrous ammonia for agricultural purposes to add a nontoxic dye to the ammonia before sale; require Department of Agriculture to approve dye products.

5. **HB 183, AN ACT relating to eminent domain. R. Wilkey, T. McKee, C. Belcher, J. Bruce, D. Keene, R. Meeks, S. Nunn, D. Pasley**

Create a new section of KRS Chapter 416 to delineate allowable and prohibited public uses of property subject to eminent domain; amend KRS 416.540 to specify "public use" and not "public purpose" as the correct terminology in relation to eminent domain.

6. HB 234, AN ACT relating to business organizations. S. Brinkman

Create two new subchapters of KRS Chapter 362, relating to partnerships, to adopt with changes the Uniform Partnership Act, as approved by the National Conference of Commissioners on Uniform State Laws in 1994 and with amendments thereto in 1997, and the Uniform Limited Partnership Act, as approved by the National Conference of Commissioners on Uniform State Laws in 2001; create a new section of KRS Chapter 275, the Kentucky Limited Liability Company Act, to permit the conversion of a limited liability company to a limited partnership; amend KRS 446.010, relating to definitions for the Kentucky Revised Statutes, to provide that the word "partnership" shall include all varieties of both general and limited partnerships, unless otherwise required by the context; amend KRS 365.015, 313.310, 148.851, 164.6011, 274.005, 275.010, 292.310, 342.0011, 67.750, various sections in Title XI, relating to revenue and taxation, and various sections in KRS Chapter 154, relating to state development, to conform; and, effective January 1, 2008, repeal the Uniform Partnership Act, KRS 362.150 to 362.360, the Kentucky Revised Uniform Limited Partnership Act, KRS 362.401 to 362.525, and remaining sections of KRS Chapter 362 relating to registered limited liability partnerships, merger of various partnerships with other business entities, and suits by and against partnerships.

7. HB 272, AN ACT relating to highways. S. Riggs, D. Keene, D. Osborne

Amend KRS 189.580, regarding the duties of individuals involved in traffic accidents, to require the driver to move the vehicle off the roadway of an interstate highway or parkway if the accident does not involve death or known or visible injury; permit an owner or operator of a vehicle to allow a properly licensed driver to move a vehicle off the roadway on his or her behalf in the event of an accident; allow officers to remove cargo or property obstructing the roadway without the consent of the owner; provide exceptions to delay any removal of hazardous material or vehicle involved in injury-related accidents until after fire, medical, and police personnel have finished their duties at the accident scene; permit agency removing property from roadway to intervene in civil action to recover costs; amend KRS 189.990 and 189.993 to require no penalty be assessed for a person who fails to remove a vehicle from the roadway or fails to report an accident as a result of being incapable.

8. HB 290, AN ACT relating to weapons. C. Belcher, R. Damron, R. Adams, R. Adkins, A. Arnold, J. Arnold Jr, E. Ballard, J. Bowen, K. Bratcher, J. Bruce, De. Butler, M. Cherry, H. Collins, J. DeCesare, W. Dedman Jr, T. Edmonds, B. Farmer, D. Floyd, J. Gooch Jr, J. Gray, W. Hall, J. Higdon, C. Hoffman, D. Horlander, D. Keene, T. Kerr, S. Lee, G. Lynn, T. McKee, C. Meade, C. Miller, R. Mobley, R. Nelson, F. Nesler, D. Pasley, T. Pullin, M. Rader, R. Rand, J. Richards, S. Riggs, C. Siler, J. Stacy, J. Stewart III, T. Thompson, T. Turner, M. Weaver, R. Webb, S. Westrom, A. Wuchner

Amend KRS 15.383 relating to marksmanship qualification for certified peace officers to require the law enforcement agency employing the officer to keep records of firearms qualification; amend KRS 237.110 to specify that named active and retired federal civilian

and military peace officers do not have to meet the training requirement for a concealed deadly weapon license; delete provisions allowing requests for information from a requester that is not a bona fide law enforcement agency; provide for confidentiality of concealed deadly weapon class information; eliminate the requirement that instructors list names of students who fail the concealed carry class; delete requirement for inspection of classes; amend KRS 237.120 to permit an instructor trainer who permits his or her instructor certification to lapse a 180 day grace period to renew the certification upon completion of in-service training; amend KRS 237.122 to permit an instructor who permits his or her instructor certification to lapse a 180 day grace period to renew the certification upon completion of in-service training and increase the fee that an instructor may charge a person taking an instructor course from \$100 to \$150; create a new section of KRS Chapter 237 to prohibit suspension or revocation of concealed deadly weapon license except as provided in KRS 237.110 or, if applicable, KRS 237.138 to 237.142; create a new section of KRS Chapter 237 to prohibit the seizure of lawfully owned weapons and ammunition during disasters and emergencies; create a new section of KRS Chapter 39A, relating to emergency management, to prohibit the suspension of concealed deadly weapon licenses or the seizures of lawfully owned weapons and ammunition during disasters; create a new section of KRS Chapter 39B, relating to local emergency management, to conform; create a new section of KRS Chapter 237 to permit an employee or other person to have a firearm in his or her vehicle on the premises of an employer; permit legal action in event of wrongful dismissal.

9. HB 320, AN ACT relating to preferential transfers. B. Farmer

Amend KRS 378.070 to provide that actions on preferential transfers of property be brought within 90 days of the transfer instead of within six months.

10. HB 406, AN ACT relating to advertisements for adult oriented businesses aired on local cable television channels. J. Vincent, L. Napier

Create a new section of KRS Chapter 231 to prohibit ads for adult oriented businesses on local cable television channels between 6. a.m. and 10 p.m.

11. HB 407, AN ACT relating to crimes and punishments. S. Baugh, J. Jenkins, L. Napier

Create a new section of KRS Chapter 510 to prohibit sexual intercourse, deviate sexual intercourse, or sexual contact by certain criminal justice employees with a prisoner or inmate; amend KRS 510.020 and 510.120 to conform.

12. HB 410, AN ACT relating to the Kentucky Rules of Evidence. G. Lindsay, J. Vincent

Create a new Kentucky Rule Of Evidence to allow govern evidence concerning habit and outline practice; amend KRE 407 to modify evidentiary standards relating to subsequent remedial measures; amend KRE 504 to modify evidentiary standards relating to the husband-wife privilege.

13. HB 424, AN ACT relating to the protection of Social Security number disclosures in domestic relations cases. T. Kerr, A. Simpson

Create a new section of KRS Chapter 403 to provide in domestic relations cases in which the disclosure of a Social Security number is required, that the disclosure be made not in the text of a document in the public record of the case, but in a separate form to be stored in a separate, secure area; amend KRS 403.150, 403.160, 403.211, 407.5311, and 407.5602 to conform.

14. HB 436, AN ACT relating to the Kentucky Unified Juvenile Code. R. Damron, S. Lee, K. Bratcher, S. Brinkman, J. Comer Jr, T. Couch, R. Crimm, J. DeCesare, W. Dedman Jr, J. Draud, J. Fischer, M. Harmon, B. Montell, S. Rudy, T. Turner

Amend KRS 610.015, relating to juvenile proceedings, to remove a provision regarding confidentiality of juvenile records for a juvenile tried as an adult; amend KRS 610.070, relating to juvenile hearings, to permit the public to view hearings for a juvenile tried as an adult for a sex crime, felony involving force or threat of force, burglary in the first or second degree, or a any offense involving a deadly weapon or dangerous instrument; provide for closing proceedings to protect child witnesses or child victims; amend KRS 610.120, relating to commitment orders and child placement, to provide for 10 working days notice to the Department of Juvenile Justice in the event of motions involving the case; amend KRS 610.320 to separate the ordinary juvenile docket records from juvenile felony records for children over the age of 12; permit law enforcement records regarding a child under 18 to be open if the charges are on the juvenile felony docket; state that other juvenile records are to be closed; amend KRS 610.340, relating to sharing juvenile records with agencies, to provide that records on the juvenile felony docket are open records unless ordered closed by the court for good cause; amend KRS 610.345, relating to sharing of juvenile records with schools, to require sharing of juvenile felony docket records with schools, immediately after petition if filed; permit the court to direct the prosecutor to share additional information with the schools; delete most restrictions on schools keeping juvenile felony records confidential.

Adjournment